

## SENATE BILL NO. 230

INTRODUCED BY K. TOOLE

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING AN EMPLOYER WITH 15 OR MORE EMPLOYEES TO PAY A MINIMUM WAGE RATE EQUAL TO EITHER 100% OF THE FEDERAL POVERTY LEVEL FOR A FAMILY OF FOUR IF THE EMPLOYER PROVIDES A BONA FIDE EMPLOYEE HEALTH INSURANCE PLAN OR 125% OF THE FEDERAL POVERTY LEVEL FOR A FAMILY OF FOUR IF THE EMPLOYER DOES NOT PROVIDE A BONA FIDE EMPLOYEE HEALTH INSURANCE PLAN; AMENDING SECTION 39-3-409, MCA; AND PROVIDING AN EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

**Section 1.** Section 39-3-409, MCA, is amended to read:

**"39-3-409. Adoption of minimum wage rates -- ~~exception~~ exceptions.** (1) The commissioner shall adopt rules to establish a minimum wage that, except as provided in ~~subsection~~ subsections (2) and (3), must be the same minimum hourly wage rate as provided under the federal Fair Labor Standards Act of 1938 (29 U.S.C. 206(a)(1)), excluding the value of tips received by the employee and the special provisions for a training wage.

(2) ~~The Subject to subsection (3), the~~ minimum wage rate for a business whose annual gross sales are \$110,000 or less is \$4 an hour.

(3) The minimum wage rate for an employer with 15 or more employees is:

(a) 100% of the federal poverty level for a family of four if the employer provides a bona fide employee health insurance plan; or

(b) 125% of the federal poverty level for a family of four if the employer does not provide a bona fide employee health insurance plan."

**NEW SECTION. Section 2. Effective date.** [This act] is effective July 1, 2001.

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